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10/564,255

09/21/2006

Richard Ganley

19036/41594

7553

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03/16/2010

MARSHALL, GERSTEIN & BORUN LLP  
233 SOUTH WACKER DRIVE  
6300 SEARS TOWER  
CHICAGO, IL 60606-6357

EXAMINER

MONIKANG, GEORGE C

ART UNIT

PAPER NUMBER

2614

MAIL DATE

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

|                              |                                       |                                      |  |
|------------------------------|---------------------------------------|--------------------------------------|--|
| <b>Office Action Summary</b> | <b>Application No.</b><br>10/564,255  | <b>Applicant(s)</b><br>GANLEY ET AL. |  |
|                              | <b>Examiner</b><br>GEORGE C. MONIKANG | <b>Art Unit</b><br>2614              |  |

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 17 December 2009.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 55-79 is/are pending in the application.
- 4a) Of the above claim(s) 55-73 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 74-79 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☒ Certified copies of the priority documents have been received in Application No. 10/564,255.
3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)         | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)         | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

### ***Response to Amendment/Arguments***

1. Applicant's amendment filed 12/17/2009 have been fully considered but they are not persuasive.

With respect to applicant's amendment that claims 'sending the character string information input from one device to another device such that the other device displays the same character string information', the examiner maintains that Motohashi still applies. The telephone unit 111 of Motohashi is capable of sending keyboard input information, or image captured to another telephone unit over a wireless network just like its done with in cell phones with the capability of text messaging or sending images from cell phone to cell phone (fig. 1; para 0040: apparatus of fig. 1 is a mobile telephone unit where the radio communication portion 103 wirelessly links the unit to another mobile telephone unit with its own computer there within and displays it accordingly).

With respect to applicants argument that the Motohashi reference cannot be modified to use a camera located at the overhead of a stage, the examiner maintains his stand. The Motohshi system with its image capturing capability could be modified such that it communicates via a wireless network with an external camera located overhead a stage since the telephone unit of Motohashi has wireless capabilities.

With respect to applicants argument that the Motohashi reference does not disclose an RF detection unit, the examiner maintains his stand. The Motohshi system discloses a radio communication portion (fig. 2: 103) with a electrical field strength

Art Unit: 2614

detection portion (*fig. 2: 112*) that is able to determine the strength/level of the radio communication portion/RF (*para 0055*).

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 74-75 & 77-78 are rejected under 35 U.S.C. 102(e) as being anticipated by Motohashi, US Patent Pub. 20030220123 A1.

Re Claim 74, Motohashi discloses a microphone communication system for use by a plurality of operators on a stage, comprising: a microphone (*fig. 1: 107: the voice input portion is a microphone that converts input voice signals to electrical signals and sends these signals via control portion 101 to radio communication portion 103 for transmission*); a wireless receiver operable to wirelessly receive radio signals from one or more of the plurality of microphones (*fig. 1; para 0040: apparatus of fig. 1 is a mobile telephone unit where the radio communication portion 103 wirelessly links the unit to another mobile telephone unit with its own computer and microphone there within and displays it accordingly thus multiple microphones are communicated via the radio communication portion 103*); and a computer each being connected over a Local Area

Art Unit: 2614

Network (LAN) to the wireless receiver and each being connected to a respective display and a respective keyboard (fig. 8: computer control portion 101 is connected to a radio communication portion 103/wireless and also connected to an operating portion 108/keyboard and a display portion 105); wherein the wireless receiver obtains and continuously sends over the LAN information indicative of a status of the microphone (fig. 1: 107: the voice input portion is a microphone that converts input voice signals to electrical signals and sends these signals via control portion 101 to radio communication portion 103 for transmission, thus the radio terminal 103 is aware of the status of the voice input portion 107), wherein the computer continuously receives the information sent over the LAN from the wireless receiver (fig. 1; para 0040: apparatus of fig. 1 is a mobile telephone unit where the radio communication portion 103 wirelessly links the unit to another mobile telephone unit with its own computer there within and displays it accordingly), and wherein each computer displays the received information (fig. 1; para 0040: apparatus of fig. 1 is a mobile telephone unit where the radio communication portion 103 wirelessly links the unit to another mobile telephone unit with its own computer there within and displays it accordingly), and wherein each computer displays one or more character strings input through the respective keyboard by an operator associated with the computer (para 0049: control of the operation portion 106 ultimately leads to characters being displayed), and sends the one or more character strings to the other computers, and wherein each computer also displays one or more character strings being input by other operators associated with other computers through respective keyboards connected to the other computers and being

Art Unit: 2614

sent from the other computers, thereby allowing all of the displays to display the same content (fig. 1; para 0040: apparatus of fig. 1 is a mobile telephone unit where the radio communication portion 103 wirelessly links the unit to another mobile telephone unit with its own computer there within and displays it accordingly).

Re Claim 75, Motohashi discloses a wireless microphone communication system of claim 74, wherein each computer further displays a marking made by an operator on a display region, and sends the marking to the other computers, and wherein each computer further displays markings being made by the other operators and being sent from the other computers (fig. 1; para 0040: apparatus of fig. 1 is a mobile telephone unit where the radio communication portion 103 wirelessly links the unit to another mobile telephone unit with its own computer there within and displays it accordingly).

Claim 77 has been analyzed and rejected according to claim 74.

Claim 78 has been analyzed and rejected according to claim 75.

1. Claims 76 & 79 are rejected under 35 U.S.C. 103(a) as being unpatentable over Motohashi, US Patent Pub. 20030220123 A1.

Re Claim 76, Motohashi discloses a wireless microphone communication system of Claim 74, further comprising: a camera for acquiring images of the entire stage while a given wireless microphone is carried and moved by an operator on the stage (fig. 1: 104; para 0057: imaging portion 104 and voice input portion 107 could be carried on a stage and moved around by a user if he/she pleases), the camera being connected over

Art Unit: 2614

the LAN to a given computer (fig. 1: 104; para 0057: computer controller of another telephone unit 111 receives the image via radio communication portion 103); and wherein the given computer continuously receives from the camera the images acquired by the camera (fig. 1: 104; para 0057: computer controller of another telephone unit 111 receives the image via radio communication portion 103); wherein the given computer continuously determines whether or not the information indicative of the status of the given wireless microphone indicates an RF level lower than a predetermined threshold (para 0055: electrical field strength detecting portion); and wherein the given computer stores an image received at a time when the given computer determines that the RF level is lower than the predetermined threshold (para 0055-0059: based on the electrical field strength detecting portion, the image quality being displayed is determined); but fails to explicitly disclose the camera being located above the stage. However, official notice is taken that both the concepts and advantages of placing a camera above a stage are well known in the art. Thus, it would have been obvious to modify the phone apparatus such that it communicates with an external camera device above a stage, where the camera is capable of capturing an image of the whole stage thus making the system more dynamic.

Claim 79 has been analyzed and rejected according to claim 76.

### **Contact**

Art Unit: 2614

2. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to GEORGE C. MONIKANG whose telephone number is (571)270-1190. The examiner can normally be reached on M-F. alt Fri. Off 7:30am-5:00pm (est).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chin Vivian can be reached on 571-272-7848. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



Art Unit: 2614

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/George C Monikang/  
Examiner, Art Unit 2614

3/4/2010

**/Vivian Chin/**  
**Supervisory Patent Examiner, Art Unit 2614**